

VZCZCXRO0379  
PP RUEHBI RUEHCI  
DE RUEHBI #0505/01 2951153  
ZNR UUUUU ZZH  
P 211153Z OCT 08  
FM AMCONSUL MUMBAI  
TO RUEHC/SECSTATE WASHDC PRIORITY 6673  
INFO RUEHNE/AMEMBASSY NEW DELHI PRIORITY 7910  
RUEHCG/AMCONSUL CHENNAI PRIORITY 1903  
RUEHCI/AMCONSUL KOLKATA PRIORITY 1698  
RUEHBI/AMCONSUL MUMBAI 1831

UNCLAS SECTION 01 OF 02 MUMBAI 000505

SENSITIVE  
SIPDIS

E.O. 12958: N/A

TAGS: [ASEC](#) [CASC](#) [IN](#) [PREL](#) [PGOV](#) [PHUM](#)

SUBJECT: RAJ THACKERAY ARRESTED; MUMBAI EAC MEETING - OCTOBER 21, 2008

REF: A. MUMBAI 40  
[B](#). MUMBAI 52

[1](#)1. (SBU) Summary: American Consulate General Mumbai Emergency Action Committee met on Oct 21, 2008 to discuss the arrest of Raj Thackeray, founder and president of the pro-Marathi Maharashtra Navnirman Sena (MNS) Party. The arrest occurred early morning Oct 21st at Ratnagiri in South Maharashtra, in connection with the October 19 attacks in Mumbai on north-Indians who had come to take the application examination for railway workers. Hundreds of MNS supporters were subject to "preventative arrests" as police attempted to prevent riots, but violence ensued in various parts of Mumbai and Maharashtra nonetheless, especially near the Bandra Courthouse in Northern Mumbai where Thackeray was taken. No specific danger to Americans has been reported, but Post EAC agreed to authorize early departure for employees and to release a warden message. A/CG, CONS, POL/ECON, RSO, MED, and PD attended the meeting. End Summary

[1](#)2. (U) On Oct 19 MNS workers disrupted Indian Railways recruitment exams, assaulting many of the would-be applicants, and through violence and intimidation prevented hundreds of non-Marathi applicants from taking the exams in 13 test centers in and around Mumbai. Despite widespread advertising of the job openings, MNS was protesting "inadequate representation" of local applicants in this exam. On Oct 20, Railway Minister Lalu Prasad Yadav of the Rashtriya Janata Dal (RJD) and Mulayam Singh, president of Congress ally Samajwadi Party (SP), strongly criticized the Maharashtra Government for not being able to protect "the common man" from the "terror tactics" of the MNS. In a speech in the Ratnagiri district Oct 20, a combative Raj justified Sunday's attack on the north Indian job applicants and warned the state, "Arrest me and be ready to bear the consequences...you will have to regret....If Raj is arrested, entire Maharashtra will be set on fire." He was arrested early the next morning. Following the arrest, Valsrao Deshmukh, Congress Party chief minister of Maharashtra, and R.R. Patil, Nationalist Congress Party (NCP) deputy chief minister of Maharashtra, told news channels that the arrest demonstrates that everyone is equal before the law.

[1](#)3. (U) According to press reports, prior to arresting Thackeray in the middle of the night, Maharashtra and Mumbai police conducted between 150 and 1000 "preventative arrests" of MNS activists, mainly from the cities of Nasik, Sangli, Pune, and Ratnagiri. Police registered a FIR (First Information Report, i.e. criminal complaint) against Thackeray under the following sections of the Indian Penal Code for the October 19 violence: Section 353 (assault or criminal force to deter public servants from discharging their duties); Section 153 (rioting); Section 336 (endangering life or personal safety of others); Section 425 (mischief); and Section 427 (mischief causing damage). Thackeray may also be subject to revocation of bail granted upon his arrest earlier this year on similar charges (see reftels). Although Thackeray was to have been arraigned late in the

morning, police delayed moving him to the court until a crowd estimated to number approximately 1400 could be brought under control. Media reports state that the police resorted to firing tear gas to disperse the crowd. Mumbai police produced Raj Thackeray at the Bandra courthouse in mid-afternoon. The court ordered him held in judicial custody pending a Nov 4 hearing. His lawyers say they will appeal to the High Court tomorrow, Oct 22, seeking to reverse the decision to hold Thackeray.

14. (U) Following Thackeray's arrest, MNS supporters stoned vehicles, burned several city buses and broke the windshields of parked taxis and buses in the northern part of the city. They disrupted traffic in the cities and districts of Nasik, Ratnagiri, Sholapur, Pandharpur, and Thane. MNS supporters attacked a toll booth located in the suburb of Mulund in Mumbai and set one of the counters on fire, police said. There were also reports of unidentified men throwing stones at the suburban residence of Congress spokesperson Sanjay Nirupam, who hails from Bihar and has been a vocal critic of Thackeray. Many schools in Maharashtra have already closed for Diwali holidays, but some schools (for example International Schools Ambani and Poddar of Mumbai) have declared a holiday today fearing traffic disruption. Representatives of an American company from Pune told Econoff that the city of Pune remained tense following the news of arrest.

15. (U) Shops and roads are closed temporarily in many areas. Traffic disruption was reported from various northern suburbs of Mumbai, but most of the consulate staff reported for work, and only a few visa applicants requested rescheduling of appointments. One locally-engaged employee reported that police closed the main road from the northern suburb of Bandra, where several consulate employees live, to south Mumbai due to stone throwing by persons on an overpass. Later in the morning

MUMBAI 00000505 002 OF 002

violence in that area was confined closer to the courthouse where Thackeray was to appear. Employees who live in Thane and Dombivli report that there are no buses or taxis operating in their districts, making it difficult to reach railway stations. One Overseas Security Advisory Council constituent reported shop closings in the northern suburbs and Central Mumbai.

16. (U) There are no reports of American citizens being injured in any attacks and no American companies have reported that they are closing early. The American School of Bombay will remain open but is cancelling day-trips out of the school. Post held an EAC meeting and decided to authorize liberal leave for employees wishing to depart early. Post surveillance detection team personnel are checking the route for the Consulate's shuttles to the Bandra residential cluster. At this time the area of concern near the Bandra Courthouse does not affect the shuttle or transit from South Mumbai to the airport.

17. (U) Mumbai police also have an arrest warrant against Thackeray which was issued by a Jharkhand district court in Jamshedpur on September 30 for "hurting religious sentiments" of north Indians when he made derogatory remarks about a Chhath festival. Thackeray has appealed to the Jharkhand High Court for a stay of that non-bailable arrest warrant. The Jharkhand High Court has scheduled a hearing for October 25. If Thackeray gets bail in the Mumbai October 19 case, he may be rearrested on the Jharkhand warrant.

COMMENT:

-----

18. (SBU) Raj Thackeray consistently presses a divisive anti-North Indian migrant agenda in Maharashtra politics. Maharashtra Bharatiya Janata Party (BJP) president Nitin Gadkari told Consul General Folmsbee and Econoff recently that the Government of Maharashtra was not dealing with Thackeray's outbursts sternly enough because the ruling Congress/National Congress Party (NCP) alliance calculates that Thackeray's pro-Marathi rhetoric siphons Marathi voters from the opposition

Shiv Sena-BJP alliance. Gadkari admitted that Raj Thackeray appears to be winning support among a segment of the Marathi population. Strong criticism by Congress' alliance partners Rashtriya Janata Dal (RJD) and Samajwadi Party (SP) at the national level, however, forced the hands of Maharashtra rulers, per media commentators.

KEISER